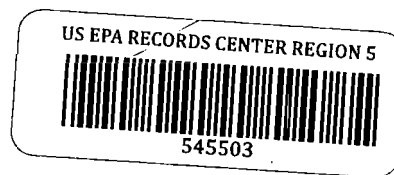




"Moyer, Scott R HS "
<scott.moyer@hs.utc.com>
10/11/2005 10:42 AM



To:

Subject EPA past cost demand on Southeast Rockford.

Dear Mr. Hart:


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Best regards,

Scott R. Moyer, P.G.
United Technologies Corp.
4747 Harrison Ave.
M/S 296-6
Rockford, Illinois 61125-7002
815-226-6232
Fax - 860-660-5764

RUSSELL
HART/R5/USEPA/US
10/18/2005 03:42 PM

To "Moyer, Scott R HS" <scott.moyer@hs.utc.com>
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Margarita
Garcia/R5/USEPA/
US

10/18/2005 12:06
PM

To
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Maggie.

RUSSELL
HART/R5/USEPA/US

10/18/2005 09:59
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Subject
RE: EPA past cost demand on
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10/18/2005 04:21 PM

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Hello Russ

It is unfortunate that USEPA was unable to use the "additional work" clause regardless of what stage we are in. It may be just my opinion, but nomenclature of a RD vs RA should not limit your abilities to effectively remove a risk in a timely manner. The fact now is that we will most likely be delayed an entire construction season to negotiate a new AOC or wait for the conclusion of our current RD activities, the last being the longest time period. We were optimistic that USEPA would allow the work to proceed under the auspices of the current AOC and that the language suggested would have effectively removed this risk. This is truly unfortunate especially when you have such a willing partner. I will turn this over to UTCs management and legal team to determine the appropriate path.

Thanks for getting back with me.

Scott R. Moyer, P.G.
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4747 Harrison Ave.
M/S 296-6
Rockford, Illinois 61125-7002

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